

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C., 20231, on:

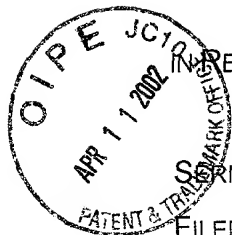
Date: March 28, 2002

By: Synn Anderson

Docket No. 58255-8028.US00

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



IN RE APPLICATION OF:

Ronald E. Pelrine *et al.*

SERIAL No.: 09/810,919

FILED: March 16, 2001

FOR: MICROLABORATORY DEVICES  
AND METHODS

EXAMINER: Unknown

ART UNIT: 1741

CONFIRMATION NO. 7145

Response to Notice of Omitted Item(s) In A Nonprovisional Application

Box Missing Parts  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

1. In response to the Notice of Omitted Item(s) In A Nonprovisional Application mailed on March 19, 2002 (copy enclosed), applicant submits the following:
  - ☒ A Communication
  - ☒ A Preliminary Amendment
2. Conditional Petition for Extension of Time  
Applicant petitions for an Extension of Time if necessary for timely filing of this Response.
3. Fee Payment
  - ☒ Please charge any underpayment for timely filing of this Response to Deposit Account No. 50-0665.

Respectfully submitted,

Jacqueline F. Mahoney

Jacqueline F. Mahoney  
Registration No. 48,390

Date: March 28, 2002

Correspondence Address:

Customer No. 22918

Phone: (650) 838-4410



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/810,919	03/16/2001	Ronald E. Pelrine	58255-8028.US00

PERKINS COIE LLP  
P.O. BOX 2168  
MENLO PARK, CA 94025



CONFIRMATION NO. 7145

## FORMALITIES LETTER



\*OC000000007668975\*

Date Mailed: 03/19/2002

## NOTICE OF OMITTED ITEM(S) IN A NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

A filing date has been accorded to the above-identified nonprovisional application papers; however, the following item(s) appear to have been omitted from the application:

- Figure(s) **25, 32E** described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h)) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (*i.e.*, the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

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*A copy of this notice MUST be returned with the reply.*

*M. Lenz*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

0910913.04102

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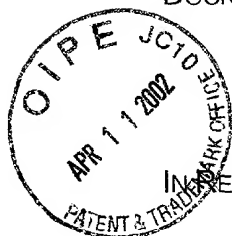
Date:

march 28, 2002

By:

Lynn Anderson

DOCKET No.: 58255-8028.US00



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF:

Pelrine, *et al.*

EXAMINER: Unknown

SERIAL No.: 09/810,919

ART UNIT: 1385

FILED: March 16, 2001

CONFIRMATION No.: 7145

FOR: **MICROLABORATORY DEVICES  
AND METHODS**

**COMMUNICATION**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

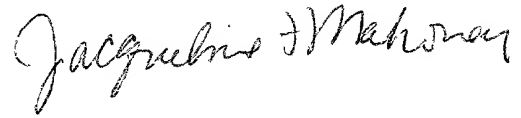
1. This communication is submitted in response to the Notice of Omitted Item(s) in a Nonprovisional Application mailed March 19, 2002.

2. The Notice of Omitted Item(s) in a Nonprovisional Application indicates that Figures 25 and 32E appear to have been omitted from the application as filed.

3. The apparent omission of Figures 25 and 32E is due to a discrepancy between the specification and the numbering of the Figures. The apparently missing Figure 25 was in fact submitted with the application as Figure 26. The apparently missing Figure 32E is due to a typographical error in the Brief Description of the Figures. A Preliminary Amendment is submitted herewith to correct the discrepancy between the specification and the Figures.

If there are any questions concerning the above points, please call the undersigned at (650) 838-4410.

Respectfully submitted,



Jacqueline F. Mahoney  
Registration No. 48,390

Date: March 28, 2002

Correspondence Address  
Customer No. 22918  
Phone No. (650) 838-4300

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